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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,632	11/05/2003	Mary G. Hoffee	A-8427	8127

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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
BLANCHARD, DAVID J	

ART UNIT	PAPER NUMBER
1643	

MAIL DATE	DELIVERY MODE
10/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Requirement for Information under 37 CFR § 1.105

1. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application. See MPEP §§ 704.10 and 704.11.

2. This request is being made for the following reasons:

Applicant is claiming an antibody or fragment thereof comprising the sequences of the murine My9-6 monoclonal antibody specific for CD33. In view of the applied prior art of BioCentury Part II in the present application, which states that Immunogen (IMGN) reported treatment with My9-6-DM1 and with respect to humanizing the My9-6 antibody, data were presented at the Engineered Antibodies Accelerating Drug Discovery & Development Conference in Philadelphia. Thus, the record suggests the applicant likely has access to information necessary for a more complete understanding of the invention and its relevant context and the details of such information may be relevant to the issue of patentability and thus, shows the need for information in addition to that already submitted by the applicant.

With respect to the prior art of BioCentury Part II, vol. 9, No. 48, pp. B1-B22, October 29, 2001;

(1) Was the Immunogen report regarding treatment with My-9-6-DM1 limited to BioCentury Part II?

(2) Was the treatment with My9-6-DM1 reported elsewhere and if so, what additional reports were made regarding the treatment with My9-6-DM1, where were they reported, what is the substance of the reports, and are copies available?

(3) What was the date of the presentation at the Engineered Antibodies Accelerating Drug Discovery & Development Conference in Philadelphia?

(4) What data were presented at the Engineered Antibodies Accelerating Drug Discovery & Development Conference in Philadelphia? Were sequences presented?
(5) Are copies of the data presented at the Engineered Antibodies Accelerating Drug Discovery & Development Conference in Philadelphia available?
(6) Were there any restrictions placed on copying or note taking at the Engineered Antibodies Accelerating Drug Discovery & Development Conference in Philadelphia?

Applicant is reminded that failure to fully reply to this requirement for information will result in a holding of abandonment.

3. In responding to those requirements that require copies of documents, where the document is a bound text or a single article over 50 pages, the requirement may be met by providing copies of those pages that provide the particular subject matter indicated in the requirement, or where such subject matter is not indicated, the subject matter found in applicant's disclosure.

4. The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

5. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is

unknown or cannot be readily obtained will be accepted as a complete reply to the requirement for that item.

6. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Blanchard whose telephone number is (571) 272-0827. The examiner can normally be reached at Monday through Friday from 8:00 AM to 6:00 PM, with alternate Fridays off. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms, can be reached at (571) 272-0832.

The official fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/David J. Blanchard/
Primary Examiner, A.U. 1643

LARRY R. HELMS, PH.D.
SUPERVISORY PATENT EXAMINER